

Daily Digest

HIGHLIGHTS

Senate confirmed the nominations of Samuel A. Alito, Jr., to be an Associate Justice of the Supreme Court of the United States, and Ben S. Bernanke, to be Chairman of the Board of Governors of the Federal Reserve System.

Senate and House of Representatives met in Joint Session to receive the President's State of the Union Message.

Senate

Chamber Action

Routine Proceedings, pages S333–S385

Measures Introduced: Four bills and four resolutions were introduced, as follows: S. 2227–2230, and S. Res. 359–362. **Page S370**

Measures Passed:

National School Counseling Week: Senate agreed to S. Res. 360, designating the Week of February 6 through February 10, 2006, as “National School Counseling Week”. **Page S375**

Honoring Professional Surveyors: Senate agreed to S. Res. 361, honoring professional surveyors and recognizing their contributions to society. **Pages S375–76**

Honoring Coretta Scott King: Senate agreed to S. Res. 362, honoring the life of Coretta Scott King and expressing the condolences of the Senate on her passing. **Pages S376–81**

Tax Reconciliation—Agreement: A unanimous-consent agreement was reached providing that at 9:15 a.m., Senate begin consideration of H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006; and that the 60 minutes of morning business, following the remarks of the Majority Leader, be counted against the underlying statutory time limitation. **Page S381**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report on the State of the Union delivered to a Joint Session of Congress on January

31, 2006; which was ordered to lie on the table. (PM–35) **Pages S366–79**

Nominations Confirmed: Senate confirmed the following nominations:

By 58 yeas 42 nays (Vote No. EX. 2), Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States. **Pages S334–48, S385**

Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2006.

Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years. **Pages S348–56, S385**

Nominations Received: Senate received the following nominations:

Edward P. Lazear, of California, to be a Member of the Council of Economic Advisers.

W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security.

Paul DeCamp, of Virginia, to be Administrator of the Wage and Hour Division, Department of Labor.

Jeffrey L. Sedgwick, of Massachusetts, to be Director of the Bureau of Justice Statistics.

Routine lists in the Air Force, Army, Marine Corps. **Pages S382–85**

Messages From the House: **Page S370**

Additional Cosponsors: **Pages S370–71**

Statements on Introduced Bills/Resolutions: **Pages S371–74**

Additional Statements: **Pages S363–66**

Authorities for Committees to Meet:**Pages S374–75**

Record Votes: One record vote was taken today. (Total—2)

Page S348

Adjournment: Senate convened at 9:45 a.m., and adjourned at 10:10 p.m., until 9:15 a.m., on Wednesday, February 1, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S382.)

Committee Meetings

(Committees not listed did not meet)

PANDEMIC INFLUENZA PREPAREDNESS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine pandemic influenza preparedness at Federal, State and local levels, after receiving testimony from John Agwunobi, Assistant Secretary for Health, and Julie L. Gerberding, Director, Centers for Disease Control and Prevention, both of the Department of Health and Human Services; Mary Mincer Hansen, Iowa Department of Public Health, Des Moines; Calvin B. Johnson, Pennsylvania Department of Health, Harrisburg; Bruce W. Dixon, Allegheny County Department of Public Health, Pittsburgh, Pennsylvania; Joanne Godley, Philadelphia Department of Social Services, Philadelphia, Pennsylvania; Richard Webby, St. Jude Children's Research Hospital, Memphis, Tennessee; George B. Abercrombie, Hoffmann-La Roche, Inc., Branchburg, New Jersey; Daniel Soland, Chiron Corporation, Emeryville, California; Christopher Viehbacher, GlaxoSmithKline, Research Triangle Park, North Carolina; and John M. Barry, Tulane University Health Sciences Center, New Orleans, Louisiana.

VIDEO CONTENT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine video content, focusing on video competition, program access, and local sports programming, after receiving testimony from Ben Pyne, Disney and ESPN Networks Affiliate Sales, New York, New York; Matt Polka, American Cable Association, Pittsburgh,

Pennsylvania; Robert G. Lee, WDBJ Television, Inc., Roanoke, Virginia; Joseph W. Waz, Jr., Comcast Corporation, Washington, D.C.; Daniel M. Fawcett, DIRECTV, Inc., El Segundo, California; and Doron Gorshein, The America Channel, Heathrow, Florida.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines, and Michael W. Michalak, of Michigan, for the rank of Ambassador during his tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum, after the nominees testified and answered questions in their own behalf.

HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee continued hearings to examine Hurricane Katrina response issues, focusing on the challenges during a catastrophe, including the evacuation of New Orleans in advance of Hurricane Katrina, receiving testimony from Johnny B. Bradberry, Louisiana Department of Transportation and Development, Joseph A. Donchess, Louisiana Nursing Home Association, and Jimmy Guidry, Louisiana Department of Health and Hospitals, all of Baton Rouge; Terry J. Ebbert, City of New Orleans Office of Homeland Security and Public Safety, and Kevin U. Stephens, City of New Orleans Health Department, both of New Orleans, Louisiana; and Walter S. Maestri, Jefferson Parish Department of Emergency Management, Louisiana.

Committee will meet again on Wednesday, February 1.

NOMINATIONS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nominations of Edwin G. Foulke, Jr., of South Carolina, to be an Assistant Secretary of Labor, and Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 26 public bills, H.R. 4654–4679; and 17 resolutions, H. Con. Res. 331; and H. Res. 646–652, 665–663 were introduced.

Pages H23–25

Additional Cosponsors:

Pages H25–26

Reports Filed: Reports were filed as follows today: Bringing Communities into the 21st Century: A Report on Improving the Community Development Block Grant Program (H. Rept. 109–365);

H. Res. 653, relating to consideration of the bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95) (H. Rept. 109–366);

H. Res. 654, to waive a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–367);

H.R. 3897, authorizing the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply and Groundwater Enhancement Project, with an amendment (H. Rept. 109–368); and

H. Res. 648, eliminating floor privileges and access to Member exercise facilities for registered lobbyists who are former Members or officers of the House (H. Rept. 109–369, Pt. 1).

Page H23

Resignation From Congress: Read a letter from Representative Robert Menendez wherein he notified the Speaker of his resignation as Congressman for the 13th Congressional District of the State of New Jersey, effective close of business on Monday, January 16, 2006.

Page H3

Whole Number of the House: The Chair announces to the House that, in light of the resignation of the gentleman from New Jersey, Mr. Menendez, the whole number of the House is adjusted to 433.

Page H3

Recess: The House recessed at 12:05 p.m. and reconvened at 3:30 p.m.

Pages H3–4

Call of the House: The Speaker called the House to order and ascertained the presence of a quorum (389 present, Roll No. 1).

Page H4

Committee to Notify the President That a Quorum of Each House Has Assembled: The House agreed to H. Res. 649, authorizing the Speaker to appoint a committee to join with a committee

on the part of the Senate to notify the President that a quorum of each House has assembled, and Congress is ready to receive any communication that he may be pleased to make. Subsequently, the Speaker appointed acting Majority Leader Blunt and Minority Leader Pelosi to the Committee.

Page H4

Notifying the Senate That a Quorum of the House Is Present: The House agreed to H. Res. 650, to authorize the Clerk of the House to inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

Page H4

Meeting Hour: The House agreed to H. Res. 651, establishing the hour of daily meeting of the House.

Pages H4–5

State of the Union Message: The House agreed to S. Con. Res. 77, providing for a joint session of Congress to receive a message from the President on the state of the Union on Tuesday, January 31, 2006 at 9 p.m.

Page H5

Morning Hour Debate: During the second session of the 109th Congress, agreed that on the legislative days of Monday and Tuesday before May 15, 2006, the House shall convene 90 minutes earlier than otherwise established for the purpose of morning-hour debate. Agreed that on the legislative day of Tuesday after May 15, 2006, the House shall convene for morning-hour debate one hour earlier than the time otherwise established.

Page H5

Extension of Remarks: Agreed by unanimous consent to authority for Members to extend their remarks and include extraneous material in the Congressional Record.

Page H5

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, February 1, 2006.

Page H5

Moment of Silence: The Chair led the House in a moment of silence to respect the memory of Coretta Scott King.

Page H5

Honoring the life and accomplishments of Mrs. Coretta Scott King and her contributions as a leader in the struggle for civil rights, and expressing condolences to the King family on her passing—Order of Business: The House agreed that it should be in order to immediately consider H. Res. 655, honoring the life and accomplishments of Mrs. Coretta Scott King and her contributions as a leader in the struggle for civil rights, and expressing condolences to the King family on her passing; that the resolution be considered as read; that the

previous question shall be considered as ordered on the resolution and the preamble to its adoption without intervening motion except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker. Later, the Chair announced that further consideration will be postponed until Wednesday, February 2, 2006. **Pages H5–14**

Social Security Advisory Board-appointment: Read a letter from the Speaker wherein he announced his appointment of Mrs. Barbara Kennelly of Connecticut to the Social Security Advisory Board. **Page H14**

Board of Trustees of the American Folklife Center in the Library of Congress-appointment: Read a letter from the Speaker wherein he announced his reappointment of Ms. Kay Kaufman Shelemay of Cambridge, Massachusetts; and his appointment of Mr. Charlie Seeman of Spring Creek, Nevada to the Board of Trustees of the American Folklife Center in the Library of Congress. **Page H14**

National Surface Transportation Policy and Revenue Study Commission-appointment: Read a letter from the Speaker wherein he announced his appointments of Mr. Jack L. Schenendorf of Chevy Chase, Maryland and Mr. Matthew K. Rose of Westlake, Texas to the National Surface Transportation Policy and Revenue Study Commission. **Page H14**

United States-China Economic and Security Review Commission: Read a letter from the Speaker wherein he announced his appointments of Mr. Peter T. R. Brookes of Springfield, Virginia and Ms. Kerri Houston of Great Falls, Virginia. **Page H14**

Recess: The House recessed at 5:22 p.m. and reconvened at 8:43 p.m. **Page H14**

State of the Union Address: President George W. Bush delivered his State of the Union address to a joint session of Congress, pursuant to the provisions of S. Con. Res. 77. He was escorted into the House Chamber by a committee comprised of Representatives Blunt, Pryce of Ohio, Dreier, Pelosi, Hoyer, Clyburn and Senators Frist, McConnell, Santorum, Hutchison, Kyl, Dole, Specter, Reid, Durbin, Stabenow, Schumer, Obama, Salazar and Menendez. The President's message was referred to the Committee on the Whole House on the State of the Union and ordered printed (H. Doc. 109–80). **Pages H15–19**

Senate Referrals: S. Con. Res. 77 was held at the desk; and S. Con. Res. 78 was referred to the International Relations Committee. **Page H19**

Quorum Calls—Votes: One quorum call (Roll No. 1) developed during the proceedings of the House today and appears on page H4.

Adjournment: The House met at 12 noon and adjourned at 10:11 p.m.

Committee Meetings

DEFICIT REDUCTION ACT—RESOLUTION AGREEING TO THE SENATE AMENDMENT

Committee on Rules: Granted, by a vote of 7 to 4 with one Member voting present, a rule providing that the House hereby concurs in the Senate amendment to the House amendment to the bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). Testimony was heard from Representative LaTourette.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE—EXTEND AND MODIFY AUTHORITIES NEEDED TO COMBAT TERRORISM

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of February 1, 2006, providing for consideration or disposition of a bill to extend and modify authorities needed to combat terrorism, and for other purposes.

LIMITING ACCESS OF FORMER MEMBERS AND OFFICERS TO MEMBER AREAS

Committee on Rules: Ordered reported, by voice vote, H. Res. 648, To eliminate floor privileges and access to Member exercise facilities for registered lobbyists who are Former Members or Officers of the House. Testimony was heard from Representative Snyder.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 1, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine promotion and advancement of women in sports, 10 a.m., SH–216.

Committee on Homeland Security and Governmental Affairs: to continue hearings to examine Hurricane Katrina response issues, focusing on managing the crisis and evacuating New Orleans, 10 a.m., SD-342.

Committee on Indian Affairs: to hold oversight hearings to examine off-reservation gaming issues, focusing on the process for considering gaming applications, 9:30 a.m., SD-106.

Committee on the Judiciary: to hold hearings to examine consolidation in the energy industry, 9:30 a.m., SD-226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine the death penalty in the United States, 2 p.m., SD-226.

House

Committee on Armed Services, hearing on countering a nuclear Iran, 11 a.m., 2118 Rayburn.

Subcommittee on Tactical Air and Land Forces and the Subcommittee on Readiness, joint hearing on Operation Iraqi Freedom and Operation Enduring Freedom Ground Forces Vehicle and Personnel Protection and Rotary Wing Safety of Flight Update, 2 p.m., 2118 Rayburn.

Committee on Energy and Commerce, hearing entitled "Phone Records For Sale: Why Aren't Phone Records Safe From Pretexting?" 2 p.m., 2123 Rayburn.

Committee on Government Reform, to consider the following measures: H.R. 4054, To designate the facility of the United States Postal Service located at 6110 East 51st

Place in Tulsa, Oklahoma, as the "Dewey F. Bartlett Post Office"; H.R. 4346, To designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the "Malcolm Melville 'Mac' Lawrence Post Office"; H.R. 4456, To designate the facility of the United States Postal Service located at 2404 Race Street in Jonesboro, Arkansas, as the "Hattie Caraway Station"; H.R. 4509, To designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the "Hiram L. Fong Post Office Building"; H. Res. 629, Supporting the goals and ideals of a day of Hearts, Congenital Heart Defect Day in order to increase awareness about congenital heart defects; and S. 1989, To designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, as the "Holly A. Charette Post Office"; followed by a hearing entitled "Restoring the Public Trust: 'A Review of the 'Federal Pension Forfeiture Act,'" 10 a.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Tax, Finance and Exports and the Subcommittee on Rural Enterprises, Agriculture, and Technology, joint hearing entitled "Transforming the Tax Code: An Examination of the President's Tax Reform Panel Recommendations," 3 p.m., 2360 Rayburn.

Committee on Ways and Means, to mark up H.R. 1631, Rail Infrastructure Development and Expansion Act for the 21st Century, 2:45 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:15 a.m., Wednesday, February 1

Senate Chamber

Program for Wednesday: Senate will begin consideration of H.R. 4297, Tax Reconciliation, with a period of morning business not to extend beyond 60 minutes, which will be counted against the statutory time limitation.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 1

House Chamber

Program for Wednesday: Consideration of H. Res. 648—to eliminate floor privileges and access to Member exercise facilities for registered lobbyists who are former Members or officers of the House; and (2) H. Res. 653—agreeing to the Senate Amendment for S. 1932—Deficit Reduction Act of 2005.

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E23
Brown-Waite, Ginny, Fla., E28, E29, E31, E31
Burgess, Michael C., Tex., E27, E29, E30, E31, E32, E33
Calvert, Ken, Calif., E12, E15
Capps, Lois, Calif., E10, E13, E17
Cardin, Benjamin L., Md., E23
Cooper, Jim, Tenn., E21
Cuellar, Henry, Tex., E27, E28, E30, E31, E32, E32
Davis, Jim, Fla., E10, E13, E17
Davis, Tom, Va., E35
DeLauro, Rosa L., Conn., E12, E15, E20
Dingell, John D., Mich., E36
Duncan, John J., Jr., Tenn., E18
Gibbons, Jim, Nev., E36
Gordon, Bart, Tenn., E19, E25
Granger, Kay, Tex., E22
Higgins, Brian, N.Y., E11, E14, E18
Hinchey, Maurice D., N.Y., E37

Hoyer, Steny H., Md., E24
Issa, Darrell E., Calif., E32
Johnson, Eddie Bernice, Tex., E24
Jones, Stephanie Tubbs, Ohio, E24
Kanjorski, Paul E., Pa., E27, E29, E30, E31
Kelly, Sue W., N.Y., E19
Kildee, Dale E., Mich., E19
Knollenberg, Joe, Mich., E22
Kolbe, Jim, Ariz., E25
Lantos, Tom, Calif., E26
Lipinski, Daniel, Ill., E21
Lofgren, Zoe, Calif., E20, E32
Lynch, Stephen F., Mass., E37
McCarthy, Carolyn, N.Y., E23
Maloney, Carolyn B., N.Y., E34
Markey, Edward J., Mass., E33
Meek, Kendrick B., Fla., E23
Moore, Dennis, Kans., E28, E29
Musgrave, Marilyn N., Colo., E10, E13, E18, E37
Myrick, Sue Wilkins, N.C., E26

Pallone, Frank, Jr., N.J., E34
Pascarella, Bill, Jr., N.J., E22
Pastor, Ed, Ariz., E21
Pelosi, Nancy, Calif., E25
Radanovich, George, Calif., E18
Rahall, Nick J., II, W.Va., E38
Reynolds, Thomas M., N.Y., E19
Ruppersberger, C.A. Dutch, Md., E9, E13, E16
Salazar, John T., Colo., E33
Shuster, Bill, Pa., E12, E15
Solis, Hilda L., Calif., E33
Stark, Fortney Pete, Calif., E25
Townes, Edolphus, N.Y., E36
Udall, Mark, Colo., E9, E11, E12, E14, E16, E17
Van Hollen, Chris, Md., E35
Visclosky, Peter J., Ind., E11, E14, E18, E20
Walsh, James T., N.Y., E22
Weldon, Curt, Pa., E28, E29



Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202-512-1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1-888-293-6498 (toll-free), 202-512-1530 (D.C. area); Fax: 202-512-1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954, or phone orders to 866-512-1800 (toll free), 202-512-1800 (D.C. area), or fax to 202-512-2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.